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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,529	03/18/2005	Raymond P. Vander Veen	555255012832	8332

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EXAMINER

HUYNH, NAM TRUNG

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/528,529	Applicant(s) VANDER VEEN ET AL.	
	Examiner Nam Huynh	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/18/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-5 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemke (US 6,813,344) in view of Carlson et al. (US 5,408,528).

A. Regarding claim 1, Lemke discloses a method and system for providing information for identifying callers comprising:

- Receiving a telephone call (figure 6, item 601).
- Sending a caller ID information to the PDA (figure 6, item 603).
- Searching a database for a match or a partial match of the caller ID information (figure 6, item 605).
- Displaying the telephone number of the caller when a match is not found (column 2, lines 4-8).

- Displaying the identity of the caller when a match is found (column 2, lines 53-56).

Lemke states that if an exact match is found, the caller's name or identifier will be displayed, and if a partial match is found, the information attached to the partial match will be displayed. Lemke does not explicitly disclose the step or means to display a field that is common to the identified contact records when one or more matches occur.

Carlson et al. discloses a method and apparatus for flexible and optimal telephone call acceptance and routing wherein a telephone call is made by a calling party, then a number list is searched to see if they contain an entry that matches the call attributes, and finally if **one or more matches** (emphasis added) is found, the call is routed as specified by the number list entry having the most optimal match (column 2, lines 15-27). Carlson et al. further teaches that an incoming call and receiver's environment may actually contain one or more number list entries that are identical to a specific attribute and lists examples (columns 5-6, lines 63-68, 1-5). In this scenario, a method is used to determine which wildcard or generic match is "optimal" based on the number of number list entries identical to the call attributes, and any user-defined weighting of importance of the number list data (column 6, lines 11-20). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the capability of searching a database entry and determine an optimal match when one or more matches are found, as taught by Carlson et al., in the method and system for providing identifying information for callers of Lemke, in order to process an incoming call that matches more than one entry. For example, a user of the

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combined system could create two entries for two different people with the same phone number. Because the listings in both systems are configurable and user defined, a user could additionally add a listing for the business such as the one shown in figure 4, identified as "Santa Clara Co." with the phone number "(408)###-####" and give it a weighted value that is higher than the individual listings for the two people. When an incoming call is received that matches the phone number of the two people, what will be displayed is "Santa Clara Co." since this listing will have a higher weighting factor, based upon user programming or definition of the listings, the combined system would perform the same function as set forth in the claim when more than one contact record matches the network identifier.

B. Regarding claims 2 and 19-20, Lemke shows in figure 4 an identifier named "Santa Clara Co." which is a business entity name. Therefore, it would have been further obvious to allow the business entity name to be displayed as the common record.

C. Regarding claims 3, 8-9, and 17, Lemke discloses displaying the telephone number of the caller when a match is not found (column 2, lines 4-8).

D. Regarding claim 4, Lemke shows a telephone network in figure 1, item 70 and displays an identifier based upon a phone number of an incoming call (figure 4, items 401, 402).

E. Regarding claim 5, Lemke shows in figure 4 an identifier named "John Doe" which is the first and last name.

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F. Regarding claims 6-7 and 15, one of ordinary skill in the art would recognize that a user could program the system of the combination of Lemke and Carlson et al. to display a business entity name or last name of a family when an incoming call matches more than one entry.

F. Regarding claim 10, it is further obvious to one of ordinary skill in the art that a user can define a listing with a last name with a weighted priority that is higher than the individual entries in place of a business entity name as stated above in the example discussed in regards to claim 1.

F. Regarding claim 11, Lemke shows a wireless communications device in figure 2A, more specifically a PDA.

G. Regarding claims 12-13, Lemke discloses that other computer systems with differing configurations can be used in place of the computer system (figure 1, item 100) within the scope of the present invention. Therefore it would be further obvious to one of ordinary skill in the art at the time the invention was made to allow the computer system to be a wireless phone or laptop computer.

H. Regarding claim 14, Lemke discloses a partial match database that is used to match up to 10 digits of a network identifier (column 7, lines 11-27).

I. Regarding claim 16, Lemke discloses the following:

- A communication subsystem (figure 1).
- A caller ID database to store contact records (figure 3, item 109).

- A processor coupled to volatile and non-volatile memory units for storing instructions, or a “contact information logic unit program”, for the processor (column 5, lines 35-46).

The operation of the “contact information logic unit program” is rendered by the limitations set forth in regards to claim 1.

J. Regarding claim 18, Lemke discloses displaying the identity of the caller when a match is found (column 2, lines 53-56).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970.

The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

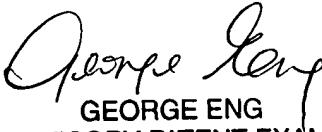
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NTH

4/17/06


GEORGE ENG
SUPERVISORY PATENT EXAMINER